

Appl. No. 09/837,713
Amdt. dated March 30, 2006
Reply to Office Action of December 29, 2005

Atty. Ref. 81800.0154
Customer No. 26021

Remarks/Arguments

Reconsideration of this application is requested.

Extension of Time

A request for a one month extension of the period for response to the office action mailed on December 29, 2005 is enclosed. The extended period for response expires on April 29, 2006.

Claim Status

Claims 1-21 were presented. Claims 1, 11 and 21 are amended and claims 22 and 23 are added. Thus, claims 1-23 are now pending.

Claim Rejections

Claims 1-21 are rejected under 35 USC 102(b) as anticipated by JP 11150624. In response, applicant respectfully traverses the rejection and amends claims 1, 11 and 21 to clarify their distinctiveness relative to JP 11150624.

The Action contends that the Abstract of JP 11150624 either explicitly or inherently teaches all claimed limitations. Applicant strongly disagrees. As was pointed out in the previous amendment, applicant's claimed apparatus makes a first cassette selection by identifying from a first memory table which cassette has a print type of highest priority; then makes a second cassette selection by identifying from a second memory table a cassette having a comparative print type to that of the first cassette; and finally makes an ultimate cassette selection between these two cassettes based on a predetermined criterion. As described in applicant's paragraph [0148], selection of two candidate cassettes in this manner, followed by an ultimate selection between those two, results in a much better ultimate sheet selection.

JP 11150624 merely discloses selection of a cassette based on the original image information and according to priority of recording paper sizes. JP11150624 does not disclose choosing a first cassette based on which cassette has the highest *print type* priority among the plurality of cassettes. As disclosed by applicant, this *print type* priority is dependent upon a selected printing mode. That is, the *print*

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types will be prioritized in one way if the selected printing mode is 100% magnification preferred mode and in another way if the selected printing mode is one-page-printing preferred mode. JP11150624, by contrast, merely discloses prioritization according to paper size. It does not disclose cassette prioritization by print type, and clearly does not disclose that the print types themselves are prioritized depending on what print mode is selected.

Independent claims 1, 11 and 21 are amended to clarify that the print types in the first memory table are prioritized based on which printing mode is selected. JP 11150624 clearly contains no such disclosure and for this reason alone cannot anticipate claims 1, 11 and 21 and claims dependent thereon.

Independent claims 1, 11 and 21 also require a second cassette selection by identifying from a second memory table a cassette having a comparative print type to that of the first cassette. Applicant has thoroughly reviewed the English abstract of JP 11150624 and finds no such disclosure. Therefore, for this additional reason, JP 11150624 cannot anticipate claims 1-21. Should this rejection be maintained, the Examiner is requested identify the precise portion of JP 11150624 that is relied on as including such a disclosure. Applicant finds no such disclosure and cannot understand the Examiner's rationale on this point.

Independent claims 1, 11 and 21 further recite making an ultimate selection between the first and second cassettes, selected as described above, based on a predetermined criterion. Claims 1, 11 and 21 are amended to clarify that this criterion is one of paper waste reduction. As further defined in dependent claims 3 and 13, the cassette among the two that stores the recording sheets of smallest size is selected. Again, applicant simply finds no such disclosure in JP 11150624. For this third reason, JP 11150624 cannot anticipate claims 1-21.

New claims 22 and 23 recite in more detail the plurality of print types that are prioritized, as well as the printing modes that this prioritization is based on. The cited art contains no corresponding disclosure.

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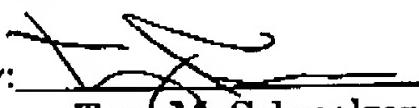
Conclusion

Applicant has disclosed and claims a unique process and apparatus wherein two cassette candidates are selected with reference to two different criterion (first cassette=print type prioritized according to selected printing mode; second cassette=comparative print type from a second table), and an ultimate cassette is then chosen from these two based on a third criterion of paper waste reduction. Applicant has found this particular process to very reliably result in the best sheet selection, and the critical details of this process are not shown by any of the art of record.

For these reasons, this application is believed to be in condition for allowance. The examiner is invited to telephone the undersigned to resolve any issues that remain after entry of this amendment. Any fees due with this response may be charged to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: March 30, 2006

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